

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

	* * *	
FEDERAL TRADE COMMISSION,)	
)	
Plaintiff,)	
)	2:12-cv-00536-GMN -VCF
v.)	
)	ORDER
AMG SERVICES, INC, <i>et al.</i> ,)	
)	
Defendant.)	
)	

Before the court is defendants AMG Services, Inc., Red Cedar Services, Inc. dba 500FastCash, SFS, Inc. dba OneClickCash, Tribal Financial Services, dba Ameriloan, United Cash Loans, US Fast Cash, Miami Nation Enterprises, AMG Capital Management, LLC, Level 5 Motorsports, LeadFlash Consulting LLC, Blackcreek Capital Corporation, Broadmoor Capital Partners, Scott A. Tucker, and Blaine A. Tucker's (hereinafter "moving defendants") Agreed Motion For Extension of Time For Defendants To Respond To The Motion For Preliminary Injunction and Other Equitable Relief. (#12). Defendant Robert D. Campbell and defendants The Muir Law Firm, LLC and Timothy J. Muir, Esq. filed Joinders thereto (#14 and #17).

Also before the court is defendant Partner Weekly, LLC's (hereinafter "PW") Unopposed Motion For Extension of Time To Respond To Plaintiff's Motion For Preliminary Injunction and Other Equitable Relief. (#16). 0

Background

Plaintiff Federal Trade Commission (hereinafter "FTC") filed its complaint against several defendants on April 2, 2012, asserting violations of Section 5 of the FTC Act, 15 U.S.C. § 45(a), violations of TILA and Regulation Z, and violations of EFTA and Regulation E. (#1). On April 2, 2012, plaintiff also filed a motion for preliminary injunction against all defendants. (#4). On April 4, 2012, summons were issued as to all defendants. (#9). According to moving defendants' motion for

1 extension, moving defendants accepted service on April 4, 2012. (#12). On April 11, 2012, moving
2 defendants filed the present motion for extension of time. *Id.* Defendant Campbell filed his joinder on
3 April 12, 2012 (#14), and defendant PW filed its motion for extension on April 13, 2012 (#16).
4 Defendants The Muir Law Firm, LLC and Timothy J. Muir filed their joinder on April 13, 2012. (#17).
5 Proof of service has not been filed as to any defendants.

6 **Extension of Time To File Responsive Pleading**

7 **A. Moving Defendants' Motion For Extension (#12)**

8 Moving defendants ask this court to extend the time for moving defendant to respond to the
9 FTC's motion for preliminary injunction and other equitable relief (#4) until May 4, 2012. (#12).
10 Moving defendants accepted service on April 4, 2012, and their response to the motion for preliminary
11 injunction is due on April 18, 2012. *Id.* Moving defendants assert that they "conferred with [p]laintiff
12 about the due date," and that the parties have agreed to ask this court for the extension. *Id.* Moving
13 defendants argue that the extension is appropriate because counsel is newly retained and was not
14 previously involved in the matter, extra time is needed to review the complex and lengthy filings in this
15 action, and the parties are interested in meeting in advance to explore alternatives to litigation. *Id.*

16 **B. Joinders (#14 and #17)**

17 In defendant Campbell's joinder to the moving defendants' motion, he asserts that he joins the
18 request for extension of time to respond to the motion for preliminary injunction. (#14). Defendant
19 Campbell does not state that he accepted service on April 4, 2012, but asserts that he adopts the moving
20 defendants' arguments as his own and requests to be permitted to file a responsive pleading by May 4,
21 2012. *Id.* In defendants The Muir Law Firm, LLC and Timothy J. Muir's joinder, they join the
22 arguments presented by the moving defendants, and assert that good cause exists to grant the extension.
23 (#17).

24 **C. Defendant Partner Weekly, LLC's Motion For Extension (#16)**

25 Defendant PW was served on April 4, 2012, and its responsive pleading to the motion for
26

1 preliminary injunction is due on April 18, 2012. (#16). Defendant PW asserts that it joins in moving
2 defendants' motion for extension (#12), and that plaintiff has indicated that it does not object to the
3 requested extension. *Id.* Defendant PW lists the same reasons as the moving defendants do for seeking
4 the extension. *Id.* Defendant PW also asserts that it does not believe that it is a proper defendant in
5 this action, and that the extension will provide counsel the ability to evaluate the appropriate way to
6 resolve the issue. *Id.*

7 **Discussion**

8 Pursuant to Federal Rule of Civil Procedure 6(b), the court may grant an extension of time where
9 good cause exists. Based on the representations of defendants as outlined above, and the fact that
10 plaintiff FTC agreed to the extension, the court finds that good cause exists to extend the time in which
11 defendants have to respond to the motion for preliminary injunction (#4) until May 4, 2012. Defendants
12 Don E. Brady, Troy L. LittleAxe, Park 269 LLC, and Kim C. Tucker have not joined moving defendants
13 motion (#12) or filed a separate motion for extension. Therefore, the extension granted herein does not
14 apply to those defendants¹.

15 Accordingly, and for good cause shown,

16 IT IS ORDERED that Defendants AMG Services, Inc., Red Cedar Services, Inc. dba
17 500FastCash, SFS, Inc. dba One Click Cash, Tribal Financial Services, dba Ameriloan, United Cash
18 Loans, US Fast Cash, Miami Nation Enterprises, AMG Capital Management, LLC, Level 5
19 Motorsports, LeadFlash Consulting LLC, Blackcreek Capital Corporation, Broadmoor Capital Partners,
20 Scott A. Tucker, and Blaine A. Tucker's Agreed Motion For Extension of Time For Defendants To
21 Respond To The Motion For Preliminary Injunction and Other Equitable Relief (#12) and Defendant
22 Partner Weekly, LLC's Unopposed Motion For Extension of Time To Respond To Plaintiff's Motion
23 For Preliminary Injunction and Other Equitable Relief (#16) are GRANTED.

24
25 ¹ There is no documentation in the court's file indicating that these defendants have been served with process.
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1 IT IS THEREFORE ORDERED that the Defendants, excluding Don E. Brady, Troy L.
2 LittleAxe, Park 269 LLC, and Kim C. Tucker, shall have up to and including May 4, 2012, to file a
3 response to plaintiff FTC's Motion For Preliminary Injunction. (#4).

4 DATED this 13th day of April, 2012.



5 **CAM FERENBACH**
6 **UNITED STATES MAGISTRATE JUDGE**